

19-6-403 Powers and duties of board.

The board shall regulate an underground storage tank or petroleum storage tank by:

- (1) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, making rules that:
 - (a) provide for the:
 - (i) certification of an underground storage tank installer, inspector, tester, or remover;
 - (ii) registration of an underground storage tank operator;
 - (iii) registration of an underground storage tank;
 - (iv) administration of the petroleum storage tank program;
 - (v) format of, and required information in, a record kept by an underground storage or petroleum storage tank owner or operator who is participating in the fund;
 - (vi) voluntary participation in the fund for:
 - (A) an above ground petroleum storage tank; and
 - (B) a tank:
 - (I) exempt from regulation under 40 C.F.R., Part 280, Subpart (B); and
 - (II) specified in Section 19-6-415; and
 - (vii) certification of an underground storage tank consultant including:
 - (A) a minimum education or experience requirement; and
 - (B) a recognition of the educational requirement of a professional engineer licensed under Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act, as meeting the education requirement for certification;
 - (b) adopt the requirements for an underground storage tank contained in:
 - (i) the Solid Waste Disposal Act, Subchapter IX, 42 U.S.C. Sec. 6991, et seq., as may be amended in the future; and
 - (ii) an applicable federal requirement authorized by the federal law referenced in Subsection (1)(b)(i); and
 - (c) comply with the requirements of the Solid Waste Disposal Act, Subchapter IX, 42 U.S.C. Sec. 6991c, et seq., as may be amended in the future, for the state's assumption of primacy in the regulation of an underground storage tank; and
- (2) applying the provisions of this part.

Amended by Chapter 310, 2012 General Session

Amended by Chapter 360, 2012 General Session